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*Counsel for Defendants*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

GREENACTION FOR HEALTH AND  
ENVIRONMENTAL JUSTICE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF THE  
NAVY et al.,

Defendants.

Case No. 3:24-cv-3899-VC

**STIPULATION AND ~~PROPOSED~~  
ORDER TO MODIFY BRIEFING  
SCHEDULE**

Stipulation and ~~Proposed~~ Order to  
Modify Briefing Schedule  
Case No. 3:24-cv-3899-VC

Under Civil Local Rule 6-1(b), Plaintiff and Defendants stipulate to and request an order from the Court to modify the briefing schedule for Defendants' Motion to Dismiss Plaintiff's First Amended Complaint (ECF No. 21) with Plaintiff's opposition brief due on December 6, 2024, and Defendants' reply brief due on December 20, 2024. The current deadlines are November 15, 2024, for Plaintiff's opposition and November 22, 2024, for Defendants' reply. The motion hearing is scheduled for January 23, 2025.

Plaintiff requests the additional time to evaluate Defendants' request for judicial notice of specific facts and to evaluate Defendants' arguments. Furthermore, the pedagogic model of Plaintiff's lead counsel, Berkeley Law's Environmental Law Clinic, is to include law students in all aspects of representation, including motions practice, which requires accommodating an academic calendar and necessitates a modest amount of additional time.

Defendants request an additional week for their reply in light of counsel's case-related obligations in other matters and to allow for the necessary review by the client agencies and within the U.S. Department of Justice.

Respectfully Submitted,

Dated: November 7, 2024

/s/ with permission  
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Dated: November 7, 2024

/s/ David Mitchell

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Environment & Natural Resources Division

Environmental Defense Section

*Counsel for Defendants*

### **FILING ATTESTATION**

I attest that the signing counsel for Plaintiff concurs in filing this document.

Dated: November 7, 2024

/s/ David Mitchell

DAVID D. MITCHELL

United States Department of Justice

Environment & Natural Resources Division


Environmental Defense Section

**~~PROPOSED~~ ORDER**

Based on stipulation and for good cause shown, the briefing schedule for Defendants' Motion to Dismiss Plaintiff's First Amended Complaint (ECF No. 21) is modified as follows: Plaintiff's opposition brief is due December 6, 2024; Defendants' reply brief is due December 20, 2024.

**IT IS SO ORDERED**

Dated: November 8, 2024

  
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Vince Chhabria  
United States District Judge